

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

DIANA EARLY,	:	
Plaintiff,	:	Case No. 3:12cv00223
vs.	:	District Judge Thomas M. Rose Chief Magistrate Judge Sharon L. Ovington
CAROLYN W. COLVIN, Commissioner of the Social Security Administration,	:	
Defendant.	:	

DECISION AND ENTRY

This case is before the Court upon the parties' Agreed Petition To An Award Of Attorney Fees Under The Equal Access To Justice Act (EAJA) (Doc. #15). The parties have jointly stipulated to, and petitioned for, an award of attorney fees and expenses in the total amount of \$3,218.38 in full satisfaction and settlement of any and all claims Plaintiff may have under the EAJA, 28 U.S.C. §2412. The parties further agree that any EAJA fees paid belong to Plaintiff and can be offset to satisfy any pre-existing debt that Plaintiff owes the United States, pursuant to *Astrue v. Ratliff*, 560 U.S. __, 130 S.Ct. 2521, 177 L.Ed.2d 91 (2010).

Accordingly, the Court hereby **ORDERS** that:

1. The parties' Agreed Petition To An Award Of Attorney Fees Under The Equal Access To Justice Act (Doc. #15) is accepted, and Defendant shall pay Plaintiff's attorney fees and expenses under 28 U.S.C. §2412 in the total amount of \$3,218.38;
2. Defendant shall verify, **within thirty days of this Decision and Order**, whether or not Plaintiff owes a pre-existing debt to the United States subject to offset. If no such pre-existing debt exists, Defendant shall pay the EAJA award directly to Plaintiff's counsel;
3. Plaintiff's Motion For Attorney Fees Under The Equal Access To Justice Act (Doc. # 14) is DENIED as moot; and
4. The case remains terminated on the docket of this Court.

April 5, 2013

s/***Thomas M. Rose***

Thomas M. Rose
United States District Judge